

Thank you for inviting public comment regarding the proposed amendment to Telemarketing Sales Rule to allow pre-recorded messages to be directed toward consumers with a prior business relationship. I would like to suggest that the importance of this decision lies not only in the outcome of this decision, but also in the precedent that it sets for future challenges to the current Telemarketing Sales Rule.

The outcome of this decision is important because this decision will undermine the progress that has already been made. The FCC has already assessed the balance between consumer privacy and corporate policy and found that the public is best served when individuals are able to "opt-out" of phone-based advertising campaigns. So, what has changed since the inception of the do-not-call registry? It appears that the FCC is now backing down from their initial assessment of what the public wants. The initial public reaction when the do-not-call list first appeared was extraordinary. Please understand that the public has not changed their minds regarding these unsolicited phone advertisements. When I chose to add my phone number to the national do-not-call list, it was because I did not want to receive advertisement phone calls to my residence. This is still true today. I do not wish to receive unsolicited advertisements via phone, fax, email, mail, or any other means from any party, regardless of my past business relationship with them. Why should my past relationships with businesses change my desire to be interrupted at my residence by those wanting to sell me something? My desires for unsolicited advertisements has not changed since the inception of the highly effective do-not-call list. I urge you to consider the outcome of this decision and reject the proposed amendment to the Telemarketing Sales Rule.

But the outcome of this decision is not as important as the precedent that the decision will set. If the FCC begins to allow additional amendments to the Telemarketing Sales Rule, such as the one in question, the Rule might as well not exist. Establishing the do-not-call list was one of the most controversial and heated topics that the FCC has seen in a number of years. The reason for this is that consumers felt that they were winning against impossible odds. Consumers do not have the large budgets that marketing associations leverage in political battles. Consumers do not have the resources to make their voice heard as loudly as marketing organizations. If the FCC begins to allow amendments that chip away at this solid foundation of consumer rights, it will only be a matter of time before the do-not-call policy has so many loopholes that it will have no effect. If advertisers perceive the ability to crack through the foundations of the do-not-call list, they will bring amendment after amendment. Where does the FCC draw the line? The policy is easier to understand and enforce when the gray areas are kept to a minimum. Please understand that if the FCC allows the amendment to the Telemarketing Sales Rule, it will be opening the door to further erosion of the Public's established rights to privacy - rights that took a great deal of time and effort to secure.

Thank you for considering public comment on the Telemarketing Sales Rule. I appreciate the FCC's demonstrated commitment to the good of the public. Please understand that the amendment under consideration has the potential for great harm. I urge the FCC to rule against the amendment to the Telemarketing Sales Rule because of its negative impact, both immediately, and in the future.